

**REMARKS**

This listing of claims will replace all prior versions and listings of claims in the application. Claims 44 and 46-49 are canceled without prejudice. Therefore, claims 1-4, 7, 10-15, 19, 39 and 40 are pending.

Applicants cancel claims 44 and 46-49 under C.F.R. § 41.33(b)(1) and M.P.E.P. § 1206. Applicants contend that this amendment should be entered, as they are clearly limited to the cancellation of claims and for simplification of issues for the appeal.

The above amendments to the claims have not been entered by the Examiner because these amendments are being filed concurrently but separately from the Appeal Brief as allowed by 37 C.F.R. § 41.37 (c)(2), § 41.33 (b)(1) and (b)(2). Applicants respectfully request the Examiner to enter the above amendments for purposes of Appeal and use these amendments when considering the arguments presented in the Appeal Brief.

## CONCLUSION

Applicants submit that they have overcome Examiner's objections to and rejections of the claims and that they have the right to claim the invention as listed in the listing of claims. Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Pursuant to 37 C.F.R. § 1.136(a)(3), Applicants request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. § 1.16 and § 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP**

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October 29, 2010

Date

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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: October 29, 2010

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